

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TANNER W. ROTH, JON W. SMITHLEY,
LOGAN M. PRIEBE, VICTORIA S. ROBERTS,
TIMOTHY C. BEXTEN, ZACHARY R.
BRAUM, ARMAND G. FONDREN, II;
NATHAN P. GAVIC, BRENNAN L. BARLOW,
MICHAEL T. EDWARDS, MATTHEW J.
CASCARINO, MATTHEW C. DOWNING,
KEVIN DUNBAR, CAMERON M. GRIM,
AARON F. KARPISEK, IAN C. MCGEE,
EVAN MCMILLAN, ZACHARY MORLEY,
MATTHEW L. NELSON, BRYAN STIGALL,
KYNAN VALENCIA, MORGAN T. VIAR,
DANIEL VERA PONCE, ADAM R. CASSIDY,
TRISTAN M. FRIES, and AIRMEN 1-11,

Plaintiffs,

vs.

LLOYD J. AUSTINIII, In his official capacity as
United States Secretary of Defense; UNITED
STATES DEPARTMENT OF DEFENSE,
FRANK KENDALLIII, in his official capacity as
United States Secretary of the Air Force;
ROBERT I. MILLER, in his official capacity as
Surgeon General of the united States Air Force;
MICHAEL A. LOH, in his official capacity as the
Director of the Air National Guard; DAVID A.
WEISHAAR, in his official capacity as Adjutant
General of the Kansas National Guard; and
DARYL L. BOHAC, in his official capacity as
Adjutant General of the Nebraska National
Guard,

Defendants.

8:22CV3038

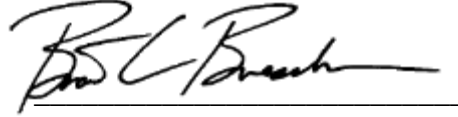
**ORDER ON STIPULATION FOR
DISMISSAL**

This case is before the Court on the parties' Stipulation for Dismissal. [Filing 104](#). The parties stipulate to dismissal pursuant to [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(ii\)](#) because this action is now moot, with each party to bear its own fees and costs. Accordingly,

IT IS ORDERED that the parties' Stipulation for Dismissal, [Filing 104](#), is granted, and this action is dismissed as moot, with each party to bear its own fees and costs.

Dated this 27th day of April, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B.C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge